

REMARKS

The Examiner is requested to reconsider the application in view of the foregoing amendment and the following remarks.

Respectfully, and generally for the reasons set forth below, the rejections and each ground therefore are traversed. Generally, it is believed that the amendment adds no new matter.

In the Office Action, at pages 2-3, the Examiner contends that the declaration is not persuasive. However, the Office Action is defective for failing to indicate that consideration was given to the declaration of John Rauch. In any case, a supplemental declaration of John Rauch is provided herewith.

In the Office Action, at pages 3-6, the Examiner has issued a provisional double patenting rejection.

In response, Applicant will address the rejection should it be made in a non-provisional manner.

In the Office Action, at pages 6-7, claims 12-14 have been rejected pursuant to 35 U.S.C. Sec. 102. The Examiner maintains that the claims are anticipated by Grimm. Applicant maintains that the Examiner has not established that Grimm is prior art. Reconsideration is requested.

In the Office Action, at pages 7-20, claims 1-11 and 14-29 have been rejected pursuant to 35 U.S.C. Sec. 103(a). The Examiner maintains that the claims are unpatentable over Grimm in view of Butterworth et al.

In response, it is respectfully submitted that the rejection is defective in view of the declarations of prior invention John Bretscher and John Rausch, further in view of the supplemental declaration of John Rausch filed herewith. Further, it is respectfully submitted that the claims have not been shown to be prima facie unpatentable over the cited art, and the

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application is believed to be in condition for allowance. Favorable action and reconsideration are respectfully requested.

With respect to the present application, the Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer, if any, and the prior art that it was made to avoid, may need to be revisited. Nor should a disclaimer, if any, in the present application be read back into any predecessor or related application.

CONCLUSION

The application, as amended, is considered to be in condition for allowance, which is earnestly solicited by Applicant. Should the Examiner be inclined otherwise or if it might otherwise expedite examination, a personal interview is requested at a time prior to the next office action. Further, if the prosecution can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

APPLICANT CLAIMS LARGE ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



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